

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

**JACOB GORSKY, and
OLESYA GORSKY**
Plaintiffs,

V.

**HARRIS COUNTY, TEXAS, DEPUTY
GUAJARDO, INDIVIDUALLY,
DEPUTY SMALL, INDIVIDUALLY,
DEPUTY BERRY, INDIVIDUALLY,
CORPORAL RIVAUX,
INDIVIDUALLY**
Defendants.

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**CIVIL ACTION NO.
4:16-CV-2877**

JURY TRIAL

JUDGE LEE H. ROSENTHAL

DEFENDANTS' UNOPPOSED MOTION TO RESET TRIAL

Defendants file this unopposed motion to reset the trial currently set for April 29, 2024, as Defendants' expert will be recovering from hip replacement surgery and likely will be unable to sit for testimony at trial.

1. Plaintiffs' Counsel Randall Kallinen and Alex Johnson stated on Monday, March 25, 2024, they are unopposed but would like a one- to two-month reset.
2. Sgt. Michael Combest will undergo hip replacement surgery on April 3, 2024, which is next week. See attached affidavit, **Exhibit 1**, filed under seal. His doctor has told him to expect 4-6 weeks of recovery.
3. Defense counsel Suzanne Bradley is set for trial June 17, 2024 in Keith Ellison's court, and has vacation plans mid-July. See attached, **Exhibit 2**. Defense counsel Veronica Jones and Greg Burnett have mid-August vacations planned.
4. This motion is filed not for delay but so that justice may be served.

Date: March 26, 2024.

Respectfully submitted,

By: /s/ Suzanne Bradley
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Corporal Ben Rivaux and
Deputy Patrice Small

CERTIFICATE OF CONFERENCE

On March 25, 2024, I conferred with counsel for Plaintiffs, Randall Kallinen and Alex Johnson, and they are unopposed to this motion, but would like a one- to two-month reset.

/s/ Suzanne Bradley
Suzanne Bradley

CERTIFICATE OF SERVICE

I certify that, pursuant to Federal Rules of Civil Procedure, a true copy of the instrument to which this Certificate is attached was duly served upon each party to this cause on the CM/ECF system, which will automatically serve a Notice of Electronic Filing on all parties.

/s/ Suzanne Bradley
Suzanne Bradley